

07-05-01

PTO/SB/05 (11-00)

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 509192000220

First Inventor Russell A. Houser

Title APPARATUS AND METHODS FOR TREATING TISSUE

Express Mail Label No. EL676223619US

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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Cindy Hoang

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g. PTO/SB/17) + Duplicate (2 pgs.)  
*(Submit an original, and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 48]
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 USC 113) [Total Sheets 31]
5. Oath or Declaration [Total Pages 2]
  - a.  Newly UNexecuted (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6.  Application Data Sheet. See 37 CFR 1.76 (2 pgs.)

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  
*(where there is an assignee)*
 Power of Attorney
11.  English Translation document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449
  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*Should be specifically itemized*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation       Divisional       Continuation-in-part (CIP)      of prior application No: 09/602,436

Prior application information:

Examiner 3739

Group / Art Unit: Farah

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Labelor  Correspondence address below

25226

PATENT TRADEMARK OFFICE

(Insert Customer No. or Attach bar code label here)

Name	Johnney U. Han				
Address	Morton & Foerster LLP				
	755 Page Mill Rd.				
City	Palo Alto	State	California	Zip Code	94304-1018
Country	United States	Telephone	(650) 813-5786	Fax	(650) 494-0792
Name (Print/Type)	Johnney U. Han		Registration No. (Attorney/Agent)	45,565	
Signature	<i>Johnney U. Han</i>		Date July 3, 2001		

# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 1048)

## Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Russell A. HOUSER
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned

Attorney Docket No. 509192000220

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison &amp; Foerster LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.272.  Payment Enclosed: Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 355)

## 2. EXTRA CLAIM FEES

Total Claims	97	- 20** =	77	x	9	=	\$ 693
Independent Claims	3	- 3** =	0	x	40	=	\$ 0

## Multiple Dependent

Extra Claims  
Fee from below  
Fee Paid

135 = \$ 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 693)

\*\* or number previously paid, if greater; For reissues, see above.

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath			
127	50	227	25	Surcharge - late provisional filing fee or cover sheet			
139	130	139	130	Non-English specification			
147	2,520	147	2,520	For filing a request for ex parte reexamination			
112	920*	112	920*	Requesting publication of SIR prior to Examiner action			
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action			
115	110	215	55	Extension for reply within first month			
116	390	216	195	Extension for reply within second month			
117	890	217	445	Extension for reply within third month			
118	1,390	218	695	Extension for reply within fourth month			
128	1,890	228	945	Extension for reply within fifth month			
119	310	219	155	Notice of Appeal			
120	310	220	155	Filing a brief in support of an appeal			
121	270	221	135	Request for oral hearing			
138	1,510	138	1,510	Petition to institute a public use proceeding			
140	110	240	55	Petition to revive - unavoidable			
141	1,240	241	620	Petition to revive - unintentional			
142	1,240	242	620	Utility issue fee (or reissue)			
143	440	243	220	Design issue fee			
144	600	244	300	Plant issue fee			
122	130	122	130	Petitions of the Commissioner			
123	50	123	50	Petitions related to provisional applications			
126	180	126	180	Submission of Information Disclosure Stmt			
581	40	581	40	Recording each patent assignment per properties (list number of properties)			
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))			
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))			
179	710	279	355	Request for Continued Examination (RCE)			
169	900	169	900	Request for expedited examination of a design application			

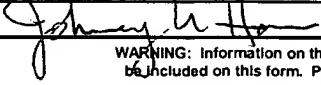
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

Complete (if applicable)

## SUBMITTED BY

Name (Print/Type)	Johnney U. Han	Registration No. (Attorney/Agent)	45,565	Telephone	(650) 813-5786
Signature				Date	July 3, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.